

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DESERT ORCHID PARTNERS, L.L.C.,)
individually and on behalf of all others)
similarly situated,)
Plaintiff,)

v.)

TRANSACTION SYSTEMS)
ARCHITECTS, INC., WILLIAM E.)
FISCHER, GREGORY J. DUMAN,)
DWIGHT G. HANSON, DAVID C.)
RUSSELL, and EDWARD FUXA)
Defendants.)

8:02CV553

ORDER

NANCY ROSEN, individually and on)
behalf of all others similarly situated,)
Plaintiff,)

v.)

TRANSACTION SYSTEMS)
ARCHITECTS, INC., WILLIAM E.)
FISCHER, GREGORY J. DUMAN)
DWIGHT G. HANSON, DAVID C.)
RUSSELL, and EDWARD FUXA,)
Defendants.)

8:02CV561

ORDER

This matter is before the court on a letter submitted by interested party James J. Hayes, which the court will construe as a motion for release of funds, Filing No. 426. Hayes seeks the release of \$5,000.00 posted as an appeal bond. See Filing No. 412, Order, and text receipts nos. 8-4784 and 8-4785 (August 6, 2007). This court's judgment was affirmed on appeal and the mandate has issued. Filing Nos. 415 & 416. A motion for

rehearing and for a writ of certiorari were denied. Filing Nos. 417 & 421. Net settlement funds have been distributed. See Filing No. 425.

The court finds Hayes's motion for release of funds should be granted. Accordingly,

IT IS HEREBY ORDERED:

1. The Clerk of Court is directed to release the appeal bond in the amount of \$2,500.00 to:

James J. Hayes
4024 Estabrook Drive
Annandale, VA 22003

2. The Clerk of Court is directed to release the appeal bond in the amount of \$2,500.00 to:

Carolina Shareholders
James J. Hayes, Partner
4024 Estabrook Drive
Annandale, VA 22003

DATED this 15th day of December, 2009.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge